

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
Case No. 1:21-cv-00753-JLS

Deborah-Lee Adams, individually and on
behalf of all others similarly situated,

Plaintiff,

- against -

Tops Markets, LLC,

Defendant.

NOTICE OF MOTION

PLEASE TAKE NOTICE that for the reasons set forth in the accompanying Memorandum of Law dated September 30, 2021, Defendant Tops Markets, LLC, will move the United States District Court, Western District of New York, before United States District Court Judge John L. Sinatra, at the courthouse located at 2 Niagara Square, Buffalo, New York 14202, for an Order dismissing the First Amended Complaint in its entirety pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted, together with such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that Defendant intends to file and serve a reply in response to any memorandum in opposition submitted by Plaintiff.

Dated: October 1, 2021
New York, New York

Respectfully submitted,

SHOOK HARDY & BACON L.L.P.

/s/ William E. Vita

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Pro Hac Vice Motion Filed or
Forthcoming

Attorneys for Plaintiff